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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/562,889

12/29/2005

Dolf Henricus Jozef Van Casteren

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

VU, DAVID HUNG

ART UNIT

PAPER NUMBER

2821

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/562,889	Applicant(s) VAN CASTEREN, DOLF HENRICUS JOZEF	
	Examiner David Hung Vu	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) 6-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 20-23 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 1-5,20-23 and 11-19 in the reply filed on 4/21/2008 is acknowledged. The traversal is on the ground(s) that claim 11 as amended and claims 12-19 should also be examined on the merits. This is not found persuasive because specie VII (claims 11-19) is directed to a lamp driver assembly with sensor and safety control circuit while specie I (claims 1-5 and 20-23) is being directed to a lamp driver assembly with synchronization output currents of individual drivers.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 6-19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 4/21/2008.

3. By applicant's amendment, however, claim 1 is now generic to claims 11-19. Thus, if claim 1 is eventually allowed then claims 11-19 will also be allowed.

4. Claims 1-5 and 20-23 are now being examined on the merit.

Drawings

5. Figure 1A should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct

any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification, drawings, and claims. For example, British English (ie, synchronising) should be changed to American English.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Heike et al (hereinafter Heike), US Pub No 2002/0047530.

Heike discloses a driver assembly for driving gas discharge lamp, comprising a plurality of at least two lamp drivers having their respective output terminals coupled in parallel, each individual driver 14,100 being designed for generating a commutating DC-current at its respective output terminal, the assembly comprising synchronization means including transformer 6 for synchronizing the output currents of the individual drivers, see, for example, figures 1-6, paragraphs, [0023]-[0032].

9. Claims 1 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Nilssen, US Pat No 4,949,015.

Nilsen discloses a driver assembly for driving gas discharge lamp, comprising a plurality of at least two lamp drivers having their respective output terminals coupled in parallel, each individual driver including half-bridges Qa1-Qa2 or Qb1-Qb2 being designed for generating a commutating DC-current at its respective output terminal, the assembly synchronizing the output currents of the individual drivers; driver power supply terminals connected to source S for receiving AC mains power, see, for example, figure 1, column 2, line 36+, column 3, column 4, line 61+.

Regarding claim 23, figure 1 and columns 2-3 do disclose such particular claimed elements.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heike in view of applicant's admitted prior art figure 1A.

Heike, as discussed from the above, essentially discloses the claimed invention but fails to explicitly disclose AC mains power connected to the drivers. Applicant's admitted prior art discloses AC mains power connected to the drivers. It would have been obvious to one having ordinary skill in the art at the time of applicant's claimed invention was made to have employed applicant's admitted prior art; thus, AC power would have been supplied to drivers.

Regarding claims 21-22, one of ordinary skill in the art would have known how to have employed different phase configurations for the mains AC so as to effectively supply power to the lamp circuit.

Regarding claim 23, prior art figure 1A and specification pages 2-3 do disclose such particular elements.

12. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nilssen.

Nilssen, as discussed from the above, essentially discloses the claimed invention but fails to explicitly disclose different phase configurations. However, one of ordinary skill in the art would have known how to have employed different phase configurations for the mains AC so as to effectively supply power to the lamp circuit.

Allowable Subject Matter

13. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Hung Vu whose telephone number is (571) 272-1831. The examiner can normally be reached on M-F 9:00am-5:30pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Hung Vu/
Primary Examiner
Art Unit 2821

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